

### **REMARKS**

Applicant submits this paper in response to the Non-Final Office Action dated July 21, 2009.

By way of this paper, claims 1-3, 5-11, and 13-15 remain pending, where claims 1-3, 11 and 13 are currently amended, and claims 4 and 12 are canceled. Support for the amendments to independent claims 1-3, and 11 can be found in paragraphs [0029] – [0031], and in previously filed claims 4 and 12. The remaining amendments to the claims are merely formal in nature. Therefore, no new matter has been added.

In light of the foregoing amendments to the claims in the following remarks, Applicant believes that the present application is in condition for allowance and respectfully requests the Office to acknowledge the same.

### **REJECTIONS UNDER 35 U.S.C. § 102, 102/103, AND 103.**

Claims 1-3, 10, and 11 stand rejected under 35 U.S.C. § 102(b) as being assertedly anticipated by Erich (WO 03/024861, with U.S. based 2004/0099379 used as a translation). Claims 1-3, 10 and 11 stand rejected under 35 U.S.C. § 102(b) as assertedly anticipated by, or in the alternative, under 35 U.S.C. § 103 as assertedly obvious over, Bright et al. (EP 1122173). Claims 1-3, 10 and 11 stand rejected under 35 U.S.C. § 103 as being assertedly obvious over Bright in view of Erich and optionally Krug et al. (5,534,890). Claims 1-15 stand rejected under 35 U.S.C. § 103 as being assertedly obvious over Bright (or Bright is modified by Erich or optionally Krug) in view of Hasiguschi et al. (U.S. Publication No. 2002/0161467).

Claim 1 now recites a device having a conveyance device for conveying containers, to which at least one control unit of a corresponding exchangeable labeling unit may be connected via one of multiple plug receptacles that are provided on the conveyance device, where each of the plug receptacles having assigned thereto a preset address information, and where, when a control unit of a labeling unit is connectable to any one of the plug receptacles, the preset address information assigned to that plug receptacle can be transmitted to the control unit of the labeling unit. Similarly, independent claims 2 and 3 have been amended to include having a respective control unit that is connectable to one of multiple plug receptacles of a conveyance device, and where after connecting the control unit of the

labeling unit to the conveyance device via the plug receptacle, preset address information assigned to that plug receptacle can be transmitted to the control unit. Further, independent method claim 11 has been amended to include method steps of connecting a control unit of the labeling unit to the conveyance device via one of multiple plug receptacles provided on the conveyance device, where each of the plug receptacles has assigned thereto a preset address information, and transmitting from the conveyance device to the control unit of the labeling unit the preset address information assigned to the plug receptacle via which the control unit of the labeling unit is connected to the conveyance device.

Thus, each of the independent apparatus and method claims has been amended to provide connection of a control unit of the labeling unit to the conveyance device via one of multiple plug receptacles provided on the conveyance device, and where each of the plug receptacles has been assigned thereto a preset address information, and where after connecting a control unit of a labeling unit to any one of the plug receptacles, the preset address information assigned to that plug receptacle can be transmitted to the control unit of the labeling unit.

A review of the cited references reflects that neither Erich, Bright, Krug, or Hasiguschi, nor any other reference of record discloses or suggests each and every limitation in amended independent claims 1-3, and 11. For example, in paragraph [29] of Erich (Eder) it is mentioned that “each labeling unit (30) can be equipped with rapidly detachable plug connections for the supplying of power and compressed air, as well as signal transmission”. However, no preset address information is mentioned Erich to be assigned to the plug connections which is transmitted to the connected control units of corresponding labeling units before identity data is transmitted from the control unit of the labeling device to the conveyance device. And as has been previously argued, Erich (Eder) is silent about any particular type of transmitted signals.

Then, the Examiner argues that Bright suggests using different types of labels, and seems to conclude that different labeling units are involved which then may be devised to be exchangeable (item 4 of the Office Action). However, it is noted that one labeling unit can be adjustable to various types of labels, so that with respect, the Examiner’s argument is not considered applicable or persuasive. Besides, and even more important, the Examiner’s own observation that “Bright simply depicts the at least one labeling unit as adjacent the

conveyance device without any disclosure of attachment” (item 4 of the Office Action) confirms that at least the newly introduced (amended) features of the independent claims 1-3, and 11 are not anticipated by, and not rendered obvious by, Bright.

Accordingly, both Eder and Bright fail to disclose or suggest each and every limitation recited in amended claims 1-3, and 11. Moreover, there is no suggestion to modify the cited references to arrive at claims 1-3, and 11.

In light of the foregoing, Applicant kindly requests the Examiner to reconsider and withdraw the outstanding anticipation and obviousness rejections.

### **CONCLUSION**

Applicants believe that each of the outstanding rejections, objections, and/or other concerns have either been accommodated, traversed, or rendered moot. Therefore, the application is considered in condition for allowance. Should there be any outstanding issues that the Office believes may be remedied via telephone conference, please contact the undersigned at (312) 474-6300.

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Respectfully submitted,

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